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District of Nevada
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Attorney for the United States,

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEREK CRAIGBEENY,

Defendant.

Case No.: 2:17-mj-01207-NJK

**STIPULATION TO CONTINUE
PRELIMINARY HEARING**
(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Ellieson, United States Attorney, Frank Johan Coumou, Assistant United States Attorney, counsel for the United States of America, and Rebecca Levy, Assistant Federal Public Defender, counsel for defendant DEREK CRAIGBEENY, that the preliminary hearing date in the above-captioned matter, currently scheduled for January 29, 2018, at 4:00 p.m., be vacated and continued for a period of thirty (30) days to a date and time to be set by this Honorable Court.

This Stipulation is entered into for the following reasons:

1. The instant case involves three separate incidents and follow-up investigation by the Las Vegas Metropolitan Police Department. The Government is obtaining discovery and providing it to Defendant pre-indictment to assess and to evaluate the case. The additional time will allow the parties to discuss the case and potential resolution in the interest of justice.

- 1 2. Defendant is incarcerated and does not object to a continuance.
- 2 3. The parties agree to the continuance.
- 3 4. The additional time requested herein is not sought for purposes of delay.
- 4 5. Additionally, denial of this request for continuance could result in a miscarriage
- 5 of justice.
- 6 6. The additional time requested by this stipulation is allowed, with the defendant's
- 7 consent, under the Federal Rules of Criminal Procedure 5.1 (d).
- 8 7. This is the first request to continue the preliminary hearing.

9 DATED this 18th day of January, 2017.

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11 DAYLE ELLIESON
United States Attorney

RENE L. VALLADARES
Federal Public Defender

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13 By: /s/ Frank J. Coumou
FRANK JOHAN COUMOU
14 Assistant United States Attorney

By: /s/ Rebecca Levy
REBECCA LEVY
Assistant Federal Public Defender
Attorney for Dereck Craigbeeny

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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

-oOo-

5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 vs.

8 Derek Craig-Beeny

9 Defendant.
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ORDER

11 **FINDINGS OF FACT**

12 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
13 Court hereby finds that:

14 1. The parties have initiated discussions regarding the case pre-indictment and
15 discovery is being provided to the Defendant.

16 2. The parties agree to the continuance.

17 3. Defendant is incarcerated and does not object to the continuance through his
18 attorney.

19 4. Additionally, denial of this request for continuance could result in a miscarriage
20 of justice.

21 5. The additional time requested herein is not sought for purposes of delay, and good
22 cause is shown by the parties to continue the preliminary hearing.

23 6. The additional time requested by this stipulation is allowed, with the defendant's
24 consent, under the Federal Rules of Procedure 5.1 (d).

